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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,)	
)	2:14-CR-00137-KJD-NJK
Plaintiff,)	
v.)	STIPULATION TO EXTEND
)	GOVERNMENT'S TIME TO
MARIA GHEORGHE,)	RESPOND TO DEFENDANT'S
)	PRETRIAL MOTION (Government's
Defendant.)	First Request)

IT IS HEREBY STIPULATED AND AGREED by and between, Daniel G. Bogden, United States Attorney, District of Nevada, Kimberly M. Frayn, Assistant United States Attorney, representing the United States of America, Plaintiff, and John G. George, Esq., counsel for the Defendant MARIA GHEORGHE, that the Government shall have an additional forty five days from the April 22, 2014 date recently set by the Court (doc. no. 96), that is, up to and including Wednesday June 3, 2015, in which to respond to the defendant's pretrial motion, and the defendant will have up to and including June 12, 2015, in which to file any replies in the above-captioned matter currently scheduled for trial on July 13, 2015.

1 This stipulation is entered into for the following reasons:

2 1. Both counsel for defendant and counsel for the Government agree to the above-
3 requested extension of time. Defendant MARIA GHEORGHE not incarcerated and counsel for
4 the defendant has represented that the defendant does not oppose the proposed extension of time
5 for the Government to file its responses to the defendant's pretrial motion.

6 2. Government counsel, and counsel for defendant MARIA GHEORGHE, and
7 counsel for his co-defendants are attempting to negotiate a plea resolution to this matter, which
8 would obviate the need to litigate the pretrial motion for a bill of particulars raised by the
9 defendant in doc. no. 67.

10 3. This extension of time to file the Government's responses to the pretrial motion
11 is not sought merely for purposes of delay. Government counsel has unexpectedly been out of
12 the office periodically during the last three weeks due to an illness. The additional time
13 requested herein is necessary to allow the Government sufficient time within which to be able to
14 effectively and thoroughly investigate, research, and respond appropriately to the defendant's
15 motion, if the plea negotiations fail. Trial is currently set for this matter on July 13, 2015, and
16 the extension requested herein should not disturb the parties' abilities to proceed to trial on that
17 date.

18 4. The parties agree that the Government shall have an additional forty five days,
19 up to and including forty five days from the April 22, 2014 date recently set by the Court (doc.
20 no. 96), that is, up to and including Wednesday June 3, 2015, in which to respond to the
21 defendant's pretrial motion, and the defendant will have up to and including June 12, 2015, in
22 which to file any replies.

23 5. Denial of this request for additional time as set forth above would deny the
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1 parties the opportunity of having continuity of counsel, taking into account the exercise of due
2 diligence. Further, denial of this request could result in a miscarriage of justice and the ends of
3 justice served by granting this request outweigh the best interest of the public and the defendant
4 in a speedy trial.

5 6. The additional time requested by this stipulation is excludable in computing the
6 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,
7 United States Code, Sections 3161(h)(1)(D), and 3161(h)(7)(A), considering the factors under
8 Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

9 Although this is the fifth request for an extension, this is the Government's first request
10 to extent the Government's time to respond to the defendant's pretrial motion.

11 DATED this 20th day of April, 2015.

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14 /s/John G. George, Esq.
15 JOHN G. GEORGE, ESQ.,
Counsel for Defendant

/s/Kimberly M. Frayn
KIMBERLY M. FRAYN
Assistant U.S. Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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3 UNITED STATES OF AMERICA,)
4) 2:14-CR-00137-KJD-NJK
Plaintiff,)
5 v.) ORDER
6)
MARIA GHEORGHE,)
7)
Defendant.)

8 Based on the pending Stipulation between the defense and the government, and good
9 cause appearing therefore, the Court hereby finds that:

10 1. Both counsel for defendant and counsel for the Government agree to the above-
11 requested extension of time. Defendant MARIA GHEORGHE not incarcerated and counsel for
12 the defendant has represented that the defendant does not oppose the proposed extension of time
13 for the Government to file its responses to the defendant's pretrial motion.

14 2. Government counsel, and counsel for defendant MARIA GHEORGHE, and
15 counsel for his co-defendants are attempting to negotiate a plea resolution to this matter, which
16 would obviate the need to litigate the pretrial motion for a bill of particulars raised by the
17 defendant in doc. no. 67.

18 3. This extension of time to file the Government's responses to the pretrial motion
19 is not sought merely for purposes of delay. Government counsel has unexpectedly been out of
20 the office periodically during the last three weeks due to an illness. The additional time
21 requested herein is necessary to allow the Government sufficient time within which to be able to
22 effectively and thoroughly investigate, research, and respond appropriately to the defendant's
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1 motion, if the plea negotiations fail. Trial is currently set for this matter on July 13, 2015, and
2 the extension requested herein should not disturb the parties' abilities to proceed to trial on that
3 date.

4 4. The parties agree that the Government shall have an additional forty five days,
5 up to and including forty five days from the April 22, 2014 date recently set by the Court (doc.
6 no. 96), that is, up to and including Wednesday June 3, 2015, in which to respond to the
7 defendant's pretrial motion, and the defendant will have up to and including June 12, 2015, in
8 which to file any replies.

9 5. Denial of this request for additional time as set forth above would deny the parties the
10 opportunity of having continuity of counsel, taking into account the exercise of due diligence.
11 Further, denial of this request could result in a miscarriage of justice and the ends of justice
12 served by granting this request outweigh the best interest of the public and the defendant in a
13 speedy trial.

14 6. The additional time requested by this stipulation is excludable in computing the
15 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,
16 United States Code, Sections 3161(h)(1)(D), and 3161(h)(7)(A), considering the factors under
17 Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

18 THEREFORE, IT IS HEREBY ORDERED that the Government shall have an
19 additional an additional forty five days, up to and including up to and including Wednesday
20 June 3, 2015 in which to respond to the defendant's pretrial motion; and
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1 IT IS FURTHER ORDERED that the defendant MARIA GHEORGHE will have up to
2 and including June 12, 2015, in which to file her reply, if any, to the Government's responses.

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5 DATED this 21st day of April, 2015.

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HONORABLE NANCY J. KOPPE
United States Magistrate Judge
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